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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 UNITED STATES OF AMERICA,) No. CR 11-0337 MMC
14 Plaintiff,) STIPULATION AND ~~PROPOSED~~
15 v.) ORDER CONTINUING DECEMBER 5,
16 WILLIAM MONTE DAVIS,) 2012 HEARING TO DECEMBER 12, 2012
17 Defendant.) AND EXCLUDING TIME UNDER
18) SPEEDY TRIAL ACT COMPUTATION
19 _____)

20 Defendant William Monte Davis and the government, through undersigned counsel,
21 appeared before the Honorable Maria-Elena James on December 4, 2012 for a settlement
22 conference in this matter. Defendant William Monte Davis was present with his defense
23 attorney, James Phillip Vaughns. The parties jointly request that the December 5, 2012 hearing
24 before the Honorable Maxine M. Chesney be continued to December 12, 2012 at 2:15 p.m., for a
25 change of plea.

26 Defendant William Monte Davis and the government, through undersigned counsel, also
27 stipulate to the exclusion of time for effective preparation of counsel under the Speedy Trial Act

28 PLEA AGREEMENT
CR 11-0337 MMC

1 as to Defendant William Monte Davis from December 5, 2012 up to and including December 12,
2 2012 – i.e., the date the parties have requested for a change of plea hearing.

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4 Dated: December 4, 2012

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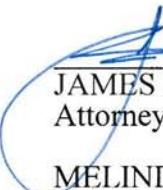
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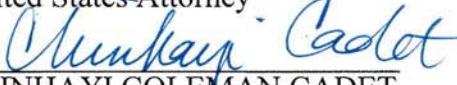
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JAMES PHILLIP VAUGHNS
Attorney for Defendant


MELINDA HAAG
United States Attorney


CHINHAYI COLEMAN CADET
Assistant United States Attorney

PROPOSED ORDER

Based upon the above stipulation, and for good cause appearing, THE COURT ORDERS
THAT:

1. The hearing scheduled in this matter for December 5, 2012 at 2:15 p.m. is hereby continued to **December 12, 2012 at 2:15 p.m.**, for a change of plea.

2. Time is excluded under the Speedy Trial Act, 18 U.S.C. § 3161 from December 5, 2012 up to and including December 12, 2012 for effective preparation of defense counsel. Failure to grant the requested continuance would unreasonably deny defense counsel the time necessary for effective preparation, taking into account the exercise of due diligence.

3. Given these circumstances, the Court finds that the ends of justice served by excluding the period from December 5, 2012 up to and including December 12, 2012 outweigh the best interest of the public and the defendant in a speedy trial. 19 U.S.C. § 3161(h)(7)(A).

4. Accordingly, and with the consent of the defendant, the Court orders that the period from December 5, 2012 up to and including December 12, 2012 be excluded from the Speedy Trial Act calculations as to the defendant under 18 U.S.C. §§ 3161(h)(7)(A) & (B)(iv).

Dated: December 4, 2012


HONORABLE MAXINE M. CHEANEY
United States District Judge

PLEA AGREEMENT
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